

**DENTISTRY EXAMINING BOARD
MINUTES
JULY 6, 2011**

PRESENT: Linda Bohacek, RDH (via phone; excused at 11:57 a.m.); Blane Christman, DDS; Eileen Donohoo, RDH; Adriana Jaramillo, DDS; Lyndsay Knoell, DDS; Sandra Linhart, RDH (via phone); Kirk Ritchie, DDS; William Stempski, DDS

EXCUSED: John Grignon, DDS

STAFF: Kelli Kaalele, Bureau Director; Lydia Thompson, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DSPS staff

GUESTS: Mark Braden, DDS; Cathy Martin, RDH, Hygiene ERC CRDTS; Warren LeMay, Division of Public Health; Erika Valadez, Timothy Durtsche and Mark Paget, WDA; Melissa Deyo, WDHA; Lori Pelke, Midwest Dental; Aleksandr Kladnitsky and Lisa Davidson, WPHA; Jennifer Kreider, RDH

CALL TO ORDER

Blane Christman, Chair, called the meeting to order at 8:30 a.m. A quorum of eight (8) members was confirmed.

PLEDGE OF ALLEGIANCE

The Board members, staff and guests rose and recited the Pledge of Allegiance

ADOPTION OF AGENDA

Amendments:

- On page 3 – Item U-9 (closed) – Application Review – John Lindstrom, DDS- insert after page 144
- Case Status Report – insert at the end of the agenda in closed session
- Updated Board Roster – for Board information only

MOTION: Linda Bohacek moved, seconded by Eileen Donohoo, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 4, 2011

Corrections:

- On page 3, under Review of Correspondence..., correct the date to read “2011”

MOTION: Linda Bohacek moved, seconded by Eileen Donohoo, to approve the minutes of May 4, 2011 as corrected. Motion carried unanimously.

SECRETARY MATTERS

No report at this time.

WELCOME NEW BOARD MEMBER

Blane Christman welcomed Dr. Mark Braden to the Board. Dr. Braden gave a brief history of his background. Dr. Braden is not a voting member at this time.

WELCOME NEW LEGAL COUNSEL

Blane Christman welcomed Lydia Thompson as the Board's new Legal Counsel. Ms. Thompson gave a brief history of her background and looks forward to working with the Board.

PRESENTATIONS OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

Division of Enforcement staff presented the following:

- Alexander B. Pijpaert, DDS, 08 DEN 026 and 09 DEN 086
- Dennis G. Baus, DDS, 09 DEN 116
- Timothy J. Flanigan, DDS, 10 DEN 018

BUREAU DIRECTOR MATTERS

Scheduling of Public Hearing for DE Rules: DE2,6,7 – Advertising/CPR, DE 13 Continuing Education, and DE 1, 2 – Active Practice/College Faculty Licenses

Kelli Kaalele reviewed the rules process with the Board. The consensus of the Board is to schedule the public hearing for the proposed rules to coincide with the September 7, 2011 Board meeting.

LEGISLATION/ADMINISTRATIVE RULES MATTERS

May 2011 Rules Report

The Board reviewed the May 2011 Rules Report. Kelli Kaalele reported the name of the Department changed last week to the Department of Safety and Professional Services.

**BOARD DISCUSSION REGARDING THE SUBCOMMITTEE ON THE SCOPE
OF PRACTICE OF DENTAL HYGIENE**

The Committee has not met and is awaiting the appointment of a public board member.

**BOARD DISCUSSION REGARDING SLEEP APNEA AND
RECOMMENDATIONS FROM WORK GROUP**

The work group has not met.

**BOARD DISCUSSION AND REVIEW OF DENTAL HYGIENE REGIONAL
TESTING EXAMINATIONS – LINDA BOHACEK**

Linda Bohacek lead the discussion regarding dental hygiene regional testing examinations.

MOTION: Linda Bohacek moved, seconded by Eileen Donohoo, to have the Department of Safety and Professional Services review dental hygiene regional examinations for acceptance for licensure.
Motion carried unanimously.

**BOARD DISCUSSION REGARDING NERB ACCEPTANCE PRIOR TO
SEPTEMBER 28, 2005**

The Board's policy remains the same. Applicants who passed NERB prior to September 28, 2005, may petition the Board for review on an individual basis.

LIAISON REPORTS

Practice Questions

The Board reviewed the procedure for answering practice questions. Lydia Thompson suggested expanding the FAQ's on the Department website.

Legislative

No report at this time.

Division of Enforcement Monitoring

No report at this time.

Professional Assistance Procedure (PAP)

No report at this time.

Credentialing

There were no credentialing issues.

Education and Examinations

There were no issues to report regarding education and examinations.

AADE and CRDTS

Blane Christman will start emailing newsletters to Kelli Kaalele for dissemination to the other Board members and possible inclusion in the agenda. Eileen Donohoo reported she will be attending the CRDTS Annual Meeting as an examiner and not as a Board representative.

INFORMATIONAL ITEMS

CRDTS Notice of Annual Meeting

The State travel policy has been revised. Travel will be allowed if all costs are covered by a third party. Linda Bohacek would like to attend this meeting as a board member. Eileen Donohoo will be attending as an examiner.

NEW BUSINESS

There was no new business to discuss.

PUBLIC COMMENTS

Dr. Tim Durtsche addressed the Board with questions regarding the upcoming public hearing.

CLOSED SESSION

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to allow Dr. Mark Braden to sit in on closed session. Motion carried unanimously.

MOTION: Adriana Jaramillo moved, seconded by Eileen Donohoo, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and, to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Motion carried by roll call vote: Linda Bohacek-yes; Blane Christman-yes; Eileen Donohoo-yes; Adriana Jaramillo-yes; Lyndsay Knoell-yes; Sandra Linhart-yes; Kirk Ritchie-yes; William Stempski-yes. Motion carried unanimously.

Open Session recessed at 9:44 a.m.

RECONVENE TO OPEN SESSION

MOTION: Adriana Jaramillo moved, seconded by Eileen Donohoo, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 11:57 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

**ALEXANDER B PIJPAERT, DDS
08 DEN 026 AND 09 DEN 086**

MOTION: Adriana Jaramillo moved, seconded by Eileen Donohoo, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Alexander B. Pijpaert, DDS. Motion carried unanimously.

**DENNIS G BAUS, DDS
09 DEN 116**

MOTION: Eileen Donohoo moved, seconded by William Stempiski, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Dennis G. Baus, DDS. Motion carried. Kirk Ritchie was excused during deliberation and abstained from voting.

**TIMOTHY J FLANIGAN, DDS
10 DEN 018**

MOTION: Eileen Donohoo moved, seconded by William Stempiski, to adopt the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Timothy J. Flanigan, DDS. Motion carried unanimously.

PROPOSED FINAL DECISIONS AND ORDERS

**JAMES A BORROR, DDS
08 DEN 001**

MOTION: Adriana Jaramillo moved, seconded by Kirk Ritchie, to adopt the Proposed Final Decision and Order in the disciplinary proceedings against James A. Borrer, DDS. Motion carried unanimously.

**DEO PUN, DMD
10 DEN 113**

MOTION: Adriana Jaramillo moved, seconded by Eileen Donohoo, to adopt the Proposed Final Decision and Order in the disciplinary proceedings against Deo Pun, DMD. Motion carried unanimously.

**REMAND OF VARIANCE TO PROPOSED ALJ DECISION REGARDING
JACK ELDER, DDS**

The Board deliberated on this matter and tabled further discussion to the next meeting. Sandra Linhart was excused (disconnected by telephone) for the deliberation.

ADMINISTRATIVE WARNING

**D.A.K., DDS
10 DEN 041**

MOTION: Kirk Ritchie moved, seconded by Eileen Donohoo, to issue an administrative warning to D.A.K., DDS, in case **10 DEN 041**. Motion carried unanimously.

APPLICATION REVIEW

JOHN LINDSTROM, DDS

The Board reviewed the application of John Lindstrom, DDS, and reaffirmed the decision of the credentialing liaison. Dr. Lindstrom must take and pass one of the board approved regional examinations to be eligible for Wisconsin licensure.

CASE CLOSINGS

MOTION: Eileen Donohoo moved, seconded by Lyndsay Knoell, to close the following cases:

09 DEN 112	Insufficient Evidence
11 DEN 025	No Violation against respondent S.J.
11 DEN 018	No Violation
10 DEN 085	No Violation
09 DEN 035	No Violation against respondent R.H.
10 DEN 052	Prosecutorial Discretion (P4)

Motion carried unanimously.

ADJOURNMENT

MOTION: Adriana Jaramillo moved, seconded by Eileen Donohoo, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:11 p.m.